UNITED NATIONS

CRC

Convention on the Rights of the Child

Distr.
GENERAL

CRC/C/28/Add.14
8 October 1998

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1995

Addendum

TAJIKISTAN

[Original: Russian]
[14 April 1998]

CONTENTS

		Paragraphs	Page
I.	RIGHTS OF THE CHILD AND BASIC LEGAL AND REGULATORY INSTRUMENTS CONCERNING EDUCATION	1 - 4	2
II.	BASIC EDUCATION AND LITERACY	5 - 29	2
III.	CHILDREN IN ESPECIALLY DIFFICULT CIRCUMSTANCES	30 - 55	7
	A. Orphans and children left without parental care and support	31 - 38	7
	B. Disabled children	39 - 43	9
	C. Juvenile crime	44 - 48	10
	D. The family and child-rearing	49 - 55	11
IV.	PROTECTION OF CHILD HEALTH	56 - 77	12
V.	RIGHTS OF THE CHILD AND BASIC LEGAL AND REGULATORY INSTRUMENTS CONCERNING SOCIAL AND LEGAL PROTECTION	78 - 87	15

I. RIGHTS OF THE CHILD AND BASIC LEGAL AND REGULATORY INSTRUMENTS CONCERNING EDUCATION

1. The Republic of Tajikistan, as a member of the world community, views international legal instruments with understanding and due responsibility.

2. The Constitution, the Education Act passed in December 1993, the outline plan for secondary schools, the State standards for general secondary education approved by the Government of the Republic of Tajikistan, the regulations concerning general education schools, extra-scholastic institutions, pre-school institutions, boarding schools and other establishments provide for the child's right to education and are aimed at fulfilling the obligations arising from the Convention on the Rights of the Child in the field of education.

3. The specific legislative and other standard-setting activities are thus intended to provide the conditions for implementation of the provisions of the Convention concerning children's right to education. However, the practical application of the constitutional norms and other regulatory instruments concerning education is encountering serious difficulties engendered by the negative processes which have affected the economy, health care, culture and education.

4. Social and economic reforms in the Republic of Tajikistan are taking place under complex conditions of political instability. Consequently, owing to the pressure of the economic problems of the transitional period and the implementation of market reforms, the actual means available for State bodies to provide children with the opportunity to obtain the necessary education have diminished. Nevertheless, despite the significant reduction in budgetary resources and essential supplies, the Republic's basic educational infrastructure is continuing to function.

II. BASIC EDUCATION AND LITERACY

5. The educational system in the Republic of Tajikistan is a composite system ensuring the continuity of educational programmes and State educational standards at various levels and in various orientations. The system guarantees compulsory basic general education and universally accessible general secondary education and provides for education at subsequent levels on a competitive basis.

6. The State policy of the Republic of Tajikistan is based on the comprehensiveness of the educational system and the continuity of its levels in State teaching and training institutions. This system comprises pre-school, general secondary, specialized secondary and further or higher education, including pre- and post-university education.

7. In the Republic of Tajikistan there are children's pre-school institutions, primary and basic (nine-year) or complete secondary education schools, special boarding schools for children with limited abilities and for orphans and children left without parental care and support, and also institutions of further education. As of 1 January 1997, 774 pre-school institutions were continuing to function and were attended by 109,143 children aged from 3 to 7 years.

8. General education schools of all types at the beginning of the 1996/97 school year totalled 3,426 and provided instruction to 1,325,900 children. These included 638,100 pupils in primary classes (grades 1-4), 581,100 in incomplete secondary education (grades 5-9) and 106,200 in secondary schools (grades 10-11).

9. The number of pupils in general education schools is continuing to increase by virtue of the country's demographic characteristics, although the number of pupils in secondary school classes (grades 10-11) has decreased by 6,200 compared with 1995/96.

10. The civil war, the difficult economic situation, migration of the population and the problems of refugees and adolescent girls have presented the educational system with a new problem - that of ensuring coverage for all school-age children. Despite the overall increase in the numbers of school-age children, there has been a steady decline in the number of pupils in each grade by comparison with previous years. Thus, for example, there were 178,942 pupils in second grade in the 1995/96 school year, but only 170,014, i.e. 8,928 less, in third grade in 1996/97. While in 1995/96 there were 129,487 pupils in third grade, during the 1996/97 school year there remained 127,734, i.e. 4,744 less, and the same pattern is repeated in all classes, from the second to ninth grades.

11. In this connection, there is an acute need for a one-time survey to determine the actual coverage of school-age children in the various regions of the Republic. This work will require large financial expenditure for those involved in organizing and carrying out this monitoring, which will be possible only with the support of international organizations.

12. The educational system's network of new types of educational institutions - lycees, gymnasia, colleges, boarding institutions for gifted children and private schools - is continuing to expand. The Leninabad region has the Isfara gymnasium/college with 433 pupils, a lycee/boarding school in the Nausky district with 300 pupils, a gymnasium/boarding school in Penjikent with 396 pupils and a gymnasium/boarding school in Ura-Tyube for 200 pupils. A republican lycee/boarding school for gifted children opened in 1995 in Dushanbe, providing instruction for more than 400 children. New types of educational institutions have also opened in the Lenin and Gissar districts of Khatlon region and in the Gorny Badakhshan Autonomous Region.

13. An agreement signed between the Ministry of Education of the Republic of Tajikistan and the private Turkish company "Ozal Shalola" has led to the establishment and operation of joint Tajik-Turkish lycees in the cities of Dushanbe, Tursunzade, Kulyab and Kurgan-Tyube with a total intake of 842 pupils.

14. Mother-tongue instruction is continuing to be provided in national and mixed schools in the Republic of Tajikistan. In the Jirgatal and Murgab districts instruction in most general education schools is in the Kyrgyz language, and overall there are 51 schools with Kyrgyz as the language of instruction. The number of schools with Uzbek as the language of instruction has increased by comparison with the 1995/96 school year to 501. Teaching in these schools follows the basic curriculum of the Republic of Uzbekistan, as

elaborated by the Ministry of Education of the Republic of Tajikistan. In Dushanbe, Khojand and some other cities there are general education schools which have Russian as the language of instruction and follow the curricula of the Russian Federation, and at secondary school No. 14 in Dushanbe since 1996/97 there has been a school for the children of persons serving in the unit of the frontier forces of the Russian Federation in Tajikistan. There are 12 schools in the Jilikul and Kabodiyen districts of Khatlon region providing instruction in the Turkmen language.

15. Specific work is thus being pursued to implement the main provisions concerning education in articles 28 and 30 of the Convention on the Rights of the Child.

16. Extra-scholastic institutions remain a structural subdivision closely associated with general education and one of the links in extra-scholastic upbringing, their main task being to create the conditions for the multifaceted development of children, catering for their interests, inclinations and gifts. After the restructuring of education in 1996, the Republic established more than 20 extramural education centres, which are attended by 10,000 children.

17. With the proclamation of independence, the Republic approved a new outline plan for general secondary education, providing for varied tuition and the phased introduction of new programmes and subjects, while the Education Act of the Republic of Tajikistan has laid the foundations for the structure, operation and administration of the educational system. As a result, differentiated education is being provided through varied curricula, programmes and textbooks. Children and their parents have acquired the right to choose an educational institution of the desired profile.

18. State educational standards have been introduced, a new form of instruction is being applied, traditional teaching methods are being refined and new techniques devised, and work has been completed on a programme of reform and stabilization of general secondary education, calling for the formulation of new legal bases for this sector and further reform of the content of education.

19. The basic principles of the State policy of the Republic of Tajikistan in the field of education are consistent with the provisions of the Convention on the Rights of the Child. They include accessibility of education, protection of the individual against any form of discrimination in education, independence of State educational institutions from ideological considerations, priority of general human values and human life and health, free development of the individual, compulsory basic general education and universal accessibility of secondary, general and initial vocational education, free general secondary and initial vocational education at each level in State educational institutions in line with the relevant educational standards, and conformity of education to world standards. However, the sector's development and reform have been made difficult by the conditions of the period, instability in society and the socio-economic crisis in the Republic.

20. An analysis has shown that of the total number of general education schools in operation, only slightly more than 900 were built according to standard designs. Over the past five to six years there has been a shortfall of about 44,000 in the number of places for pupils made available, and the building of facilities has either stopped or is behind schedule. In the meantime, general education schools remain overcrowded and are therefore working in two or, in some regions, three shifts. Thus, of the total number of pupils in day general education schools in the 1996/97 school year, some 446,800 (33.7 per cent) were studying during the second shift and 17,400 (1.3 per cent) in a third shift.

21. In 1996, only 70 per cent of the educational sector's financing requirements were met from the State budget. Expenditures on education as a proportion of national income have furthermore decreased to 16.6 per cent, a level that does not fully meet social guarantees of the right to education. Boarders and pupils at educational institutions are not provided with the appropriate standards of nutrition, medical care, social benefits and material assistance called for by the law. The absence of a non-State network of educational institutions likewise does not contribute to satisfying the population's educational needs. Moreover, outdated forms and methods of teaching have not as yet been completely amended, and the material and technical facilities of educational institutions do not conform to the generally accepted requirements of the educational process, as can be seen from their failure to meet standards of sanitation and hygiene, the unavailability of textbooks, manuals and teaching materials and inadequate social infrastructure facilities.

22. Until 1991, teaching materials in the Republic of Tajikistan had been provided by over 100 manufacturers located outside the Republic. Appropriate allocations used to be made from the State budget for the acquisition of school furniture, teaching materials and other supplies for educational institutions, making it possible each year to replace damaged furniture, teaching materials and other items. Depending on the number of pupils, each school used to have between 1 and 10 tape recorders, record players, slide projectors, graph projectors, episcopes and film projectors. Seventy per cent of schools had been equipped with computers. Over the last six years the Republic's supply organizations have not had furniture, machinery, computers, tape recorders, record players, televisions, reagents, apparatus and equipment for chemistry or biology laboratories and so on. Moreover, since 1993 funds have not been allocated for many expenditure items of the education budget, including the acquisition of furniture, teaching materials and other supplies.

23. The physical infrastructure of the educational system sustained great losses during the civil war. More than 74 general education schools were destroyed and ransacked in the Kurgan-Tyube district, Khatlon region, and in Garm, Komsomolobad, Tavildara and other districts. Four of the 12 schools in the town of Rogun suffered and 23 schools were ransacked in the Bokhtar district, as well as 15 in the Vakhsh district and 10 in the Kuibyshev (Khoja Maston) district. The material and technical base of all these schools has not yet been fully restored: the schools have no glass in the windows, which are covered with polythene film, doors are broken, there is a shortage of desks and chairs (pupils sit three to four on benches intended for two persons), blackboards and cupboards for visual aids, and there is a complete lack of teaching materials of all kinds and specifications.

24. Because of the severe economic crisis almost no general education institutions have replaced any furniture for the last six years. The furniture is becoming unusable, looks unsightly and cannot be repaired by the schools with their own resources because they have no sawn wood, plywood, particleboard and fittings or the means to acquire them. Thus, the material and technical base of the educational sector is breaking down and the minimum requirement needed to replace a limited range of furniture that is no longer serviceable would be more than US$ 5 million per year.

25. The normative base and support of general education do not correspond to the principles of humanization of schools, differentiation of tuition and democratization of the learning and formative process. A sound scientific approach to selecting the content of education has not yet been developed.

26. The gradually deteriorating situation with regard to supplying pupils and teachers with curricular and methodological literature and textbooks remains a serious problem. The difficulties of issuing textbooks and teaching aids stem from the extremely inadequate capacity of printing facilities and the shortage of paper and other printing resources, which result in failure to meet the plan for producing textbooks and other educational literature on schedule. Since payments cannot be transferred between the Republic of Tajikistan and other republics of the Commonwealth of Independent States, orders for textbooks and manuals are not filled, and as a result the Republic of Tajikistan occupies one of the lowest places among Commonwealth countries for the publication of textbooks. Orders from the Ministry of Education are also not being filled at the republican level. Thus, for example, an order for 15 titles (195,000 copies) of textbooks for pupils in primary grades with Tajik as the language of instruction is not being filled completely. Only two of the titles have so far been issued, in 10,000-12,000 copies, representing 6.1 per cent of the overall requirement of the Ministry of Education. It should also be noted that existing textbooks, because of continued use and a lack of means for their restoration, have become unsuitable, further exacerbating the problem of the availability of textbooks for children.

27. In view of this situation with respect to the publication of textbooks and manuals, general education schools may very soon be left without textbooks and the teaching and formative process will be undermined; this may eventually have catastrophic implications for education as a whole in the Republic. Considering the urgency of this problem, it is essential for the educational sector to be provided with the necessary financial and material assistance from international organizations, since, despite the measures being taken by the Government of the Republic of Tajikistan, the Ministry of Education cannot fully cope with the situation on its own.

28. Providing the sector with qualified teaching staff is becoming an insoluble problem. There is a shortage of 13,300 teachers for basic and core subjects, calculated on the assumption that they would be working at 1.5 or more times the standard rate. The main reasons for the shortage of teaching staff are the low pay and lack of social protection. As of 1 January 1997 a teacher of category II earned 2,090 roubles, a teacher in category I earned 2,310 roubles and teachers in the higher category earned 2,610 roubles; this is forcing highly qualified teachers to leave the sector and take work in another, better-paid sphere. As a consequence, there has been a lowering of

the quality of education, a deterioration in the programming and methodological and scientific and technical support of the educational process, and backwardness in meeting the requirements of literacy, as one of the indicators of socio-cultural development, compared with the level characteristic of developed countries.

29. To maintain standards in basic education the priorities are to:

(a) Ensure the guaranteed annual allocation of financial resources for the needs of education;

(b) Adopt a State programme for the development of education;

(c) Arrange economic and material and technical support for the sector;

(d) Resolve the question of providing financial inputs and resources with a view to the timely publication of textbooks and teaching manuals and the supply of new equipment for the educational process.

III. CHILDREN IN ESPECIALLY DIFFICULT CIRCUMSTANCES

30. It is generally accepted - and, indeed, recognized by society - that children who for reasons beyond their control find themselves in extremely difficult circumstances need special attention, protection and assistance. This category of children in the Republic of Tajikistan includes orphans, children left without parental care and support, children of asocial families, disabled children and children who have broken the law and need special conditions for their upbringing. Regrettably, the list of children requiring special attention in the Republic has increased. That category should also include refugee children, children from unemployed families, child victims of armed conflict, child beggars and children left without supervision - and this is not a complete list.

A. Orphans and children left without parental care and support

31. The problem of orphanhood in Tajik society has become considerably more acute and widespread in recent years. The percentage of children in this category has risen sharply as a result of the civil war. According to a survey conducted by the United Nations Children's Fund (UNICEF), there were 60,000 orphan children and children left without care and support in 1995. Although these figures require some classification, refinement and legal confirmation of status, the findings of the survey reflect the real state of affairs with regard to the above-mentioned categories of children requiring special attention.

32. The Ministry of Education and its agencies at the local level are taking steps for the accommodation, instruction and upbringing of these children in boarding schools and children's homes. For this category of children the Republic has 18 boarding schools and children's homes, in which more than 5,000 pupils are studying. In connection with the increase in the number of children who became orphans after the civil war, special educational institutions have been opened in a number of districts of Khatlon region. In

particular, boarding schools were reorganized in the Bokhtar, Yavan, Shakhrituz and Kumsangir districts, and overall in Khatlon region there are now 12 boarding schools and one children's home catering for 2,800 children in need of care and support. However, it is not possible to provide for the tuition and upbringing of all needy children in boarding schools.

33. As indicated by the statistical data, 30,740 orphans have been registered in 24 districts of Khatlon region alone. More than 150 boarding institutions, each catering for 200 pupils, would have to be made operational or opened to accommodate them, and this seems unlikely in the context of the economic crisis. Therefore, one of the priorities in dealing with the problems of these children remains that of arranging for their guardianship or adoption, a task which is being performed by the authorities responsible for guardianship at the local level.

34. According to available data, by 1996 more than 4,000 children had been adopted and up to 5,000 placed with guardians. Furthermore, the number of citizens interested in adoption, as registered by the authorities responsible for guardianship, is continuing to increase, to a large extent by virtue of the family traditions of the Republic's people. In the period from April 1995 to 1996 alone the number of citizens wishing to adopt children through the Directorate for Public Education in Dushanbe increased by 71.

35. The existing boarding schools and children's homes bringing up orphans are, for their part, encountering serious difficulties in their work. There is virtually no funding for these institutions from the State budget, except for irregular payments of salaries and in some cases partial payment for nutrition. Children in boarding schools are supported through humanitarian contributions and charitable funds, which only partly resolve the problems. Basic and vital problems remain unsolved.

36. For more than six years boarding schools have not been provided with school and domestic furniture, commercial and technical equipment, kitchenware, cleansing agents, toiletry articles, clothing, footwear and bedding, as well as teaching materials of all kinds and designations. In almost all areas bathroom and laundry facilities do not work and no fuel or lubricants are available for heating or to operate motor vehicles, even where they exist. Boarders are effectively left without health care owing to the lack of medicines and the acute shortage of medical personnel. Child nutrition does not conform to the established norms and is limited to rice and vegetable dishes, while items vitally important for children's health and normal development, such as meat, milk, eggs, animal oil and fruit juice, are absent from their diet. For lack of funds children are quite often left without flour and cereal products. In almost all boarding schools there are problems with water, energy and heat supply, many of these systems having broken down.

37. Measures are being taken at the State level where possible to improve the situation of orphans and boarding schools, but many unresolved questions

still remain. The basic factors negatively affecting efforts to resolve the problems of orphans and children left without parental care and support are:

(a) Reduction of social programmes ensuring the viability of boarding schools and children's homes. These institutions are experiencing serious financial difficulties and many are on the verge of closing. They have no centralized supply of foodstuffs, clothing, footwear, furnishings and fittings and teaching aids and equipment, as well as other resources for children's welfare;

(b) Under market-economy conditions it has become impossible to allocate housing for orphans or to find them work after incomplete secondary education, and this may lead them into a socially unfavourable environment with all the consequences arising therefrom;

(c) Departmental fragmentation, which means that the existing system of boarding institutions is unable to resolve the problems of orphanhood. Funds are needed to reorganize the entire system of interested agencies and to transform and remodel boarding schools and children's homes as specialized centres for the social, medical and pedagogical rehabilitation of orphans and children left without care and support.

38. With a view to creating conditions for the full social adaptation of children leaving boarding schools and children's homes it is essential to enhance the role of the courts and procurators in ensuring compliance with the law concerning protection of the property and housing rights of orphans; to make appropriate amendments to housing legislation; and to develop measures for the guaranteed employment of persons leaving children's homes and boarding schools, and other measures of a social character.

B. Disabled children

39. There are 8,963 under-16-year-olds suffering from childhood disability in the Republic of Tajikistan, and this figure has risen by 4,963 since 1985. The main causes of childhood disability are psycho-neurological diseases, disorders of sight or hearing and disease of the locomotor system.

40. Physically or mentally retarded children (children within limited abilities) are educated and brought up in specialized boarding schools and children's pre-school institutions. Special tuition for disabled children in the Republic covers less than 0.2 per cent of the total number of pupils in grades 1 to 9, a proportion significantly below the level in developed countries. Against this background children with severe speech disorders or suffering from scoliosis find themselves without special instruction, since there are no special teaching institutions for them. Within the past five years, moreover, special classes for children with mental developmental disorders have closed in Khatlon region, in a number of the Republic's districts and in the city of Dushanbe. There has been a considerable reduction in the intake by boarding schools of children with hearing or sight disorders or problems of the locomotor system, as well as by boarding schools helping mentally retarded children.

41. The contraction of the network of specialized institutions, groups and classes for disabled children has been caused not only by a reduction in the intake of pupils but also by a lack of the necessary educational and material facilities for special teaching and social rehabilitation of such children. Until 1992 defectologists represented 6.6 per cent of all teachers and educators in specialized boarding schools, and this proportion is now less than 1 per cent. On account of this problem the State Pedagogical University (Dushanbe) in 1994 opened a department of defectology in the teaching faculty attached to the chair of pre-school education, but the outlook for the training of defectology specialists is unclear, since the actual demand for such specialists has not been defined.

42. The problems of gathering, calculating and compiling objective statistical data on children with developmental disorders by age group and degree of gravity of the disorder have also not been resolved, making it impossible to elaborate a strategic programme for their full enrolment for special education. In order to resolve this problem it will be necessary to establish and organize the work of psychological, medical and pedagogical consultancies on a qualitatively new basis in the Republic's large cities to replace the medical and pedagogical commissions operating earlier on a voluntary basis. However, the lack of financial resources, specialists and appropriate material and technical facilities precludes a solution to this problem.

43. In order to deal with the problems of disabled children, and in particular to arrange for their education, upbringing and social and labour rehabilitation, it will be necessary to adopt an ad hoc State programme for the social protection of persons suffering from childhood disabilities in the Republic of Tajikistan.

C. Juvenile crime

44. An increase in juvenile crime has been noted over the past five years in the context of the difficult socio-economic situation. As a result of the implementation of a number of organizational and practical measures aimed at preventing the commission of offences by juveniles, there has been some decline in the crime rate among minors in the Republic as a whole. There were 790 recorded cases of juvenile crime in 1995, as against 976 in 1994, i.e. a 10.1 per cent reduction. Nevertheless, the proportion of juvenile offences relative to total recorded offences is high, amounting to 8.6 per cent.

45. A particular cause for concern is the increase in crime among younger school-age adolescents. In 1996 they committed 236 offences, out of the 547 recorded offences by juveniles. These offences consisted mainly of theft of State or private property and robberies.

46. The current situation among juveniles in Khatlon region, Dushanbe and a number of districts within the Republic remains unstable. The preventive work conducted in teaching establishments to reduce crime is not yielding the desired result.

47. At the same time, the commissions on juvenile affairs are tolerating a situation where many cases of adolescents subject to placement in special educational and formative institutions are not being considered for unjustified reasons. In the 1995/96 school year the Ministry of Education assigned only 19 offenders to the Republic's special school for children needing particular conditions for their upbringing. The ineffectiveness of the commissions on juvenile affairs is a major reason for the significant decrease in the intake of the Republic's special school, where there are now 40 juvenile offenders undergoing rehabilitation.

48. An analysis of the reasons for the growth of juvenile crime indicates that the main causes are: the weakened role of the family, the loss of social values such as interest in learning and work, ugly forms of entrepreneurship and uncertainty about the future. The social significance of the problem of juvenile crime is therefore increasing and there is a need to develop a special programme of legal, socio-economic and educative and formative measures to prevent child crime.

D. The family and child-rearing

49. The formative potential of the family depends to a large extent on its material possibilities. The economic situation of the family in the Republic is a crucial social issue.

50. Inflation, rising prices, the transition to a market economy, unemployment and other destructive phenomena are having a destabilizing effect on the functioning of the family as a social structure concerned with the upbringing of children. An analysis of the family's nurturing capacities shows that family values and the desire to have children and give them a proper upbringing and education still occupy an important place in the minds of the public in Tajikistan. However, under present conditions, major support is required from the State for the family to carry out its social functions.

51. Help for the family in raising young, pre-school-age children is provided, having regard for the family's interests and requirements, by the kindergartens, nurseries and other pre-school institutions established to offer day or 24-hour care of children. At present there are 774 pre-school institutions attended by 109,380 children; this represents less than 10 per cent of the total number of children of pre-school age, i.e. children aged from 1-7 years.

52. With a view to expanding social facilities for the upbringing of children, helping families to raise their children and creating conditions for their development within the educational system, there is a network of boarding-type institutions catering for children from large and low-income families, children of single mothers and children needing social upbringing having regard for the conditions of life, the home environment, work and state of health of the parents or persons acting in loco parentis.

53. Educational bodies are conducting measures to implement family policy. In the curricula for the eighth grade of general education schools 34 hours have been set aside during the school year for the study of family life as a separate subject. A textbook entitled "Odobi oiladori" ("Ethics of Family

Life") was prepared, taking account of the national and cultural traditions of the people of the Republic, and issued in a print run of 150,000 copies. To supplement this textbook the Maorif publishing house has issued a book called "Nikokh, oila, akhlok va konun" ("Marriage, Family and the Law") in a print run of 4,000 copies. Other teaching materials have also been prepared to assist teachers in general education schools.

54. However, for the full implementation of State policy and support for the family it will be necessary to:

(a) Support the family in its striving by its own means to create the necessary conditions for child-rearing;

(b) Improve the procedure for the payment of benefits for children taking into account the interests of socially disadvantaged families;

(c) Preserve and support the State system of pre-school education, further and special education, and summer recreation for children;

(d) Create regional centres to provide socio-psychological and socio-pedagogical assistance for families in the upbringing of their children.

55. The above tasks involve considerable financial and material expenditures and will be very difficult to accomplish in the current period of economic crisis.

IV. PROTECTION OF CHILD HEALTH

56. The Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989, specifically stipulates the right of the child to the highest standard of health and medical care attainable.

57. About 50 per cent of the population (49.1) in Tajikistan are children and adolescents (0-17 years) and they are the most vulnerable section of society, especially in a period of transition to a market economy.

58. During the period of geopolitical and economic transformations which began in 1991, there have been substantial negative changes in the life of the country and society. The problems of the economy have grown considerably, with serious implications for the health care system and the social services as a whole. The capabilities for dealing with environmental problems, including air quality in large and industrial towns, waste disposal and the supply of safe drinking water, have weakened. The problems associated with providing good quality and safe food products have become acute. The declining standard of living has brought about changes in the pattern and way of life (growth of migration) and nature of employment, contributing to poorer nutrition and a lower quality of life for families.

59. Thus, in the past few years, the economic difficulties and growing impact of multiple health risk factors on everyday life (unbalanced nutrition, tendency among adolescents to smoke in towns, stress situations, worsening material and domestic conditions, migration) and the environment (air quality in major industrial towns, water pollution, etc.) have combined with existing genetic risk factors to cause the present lower standard of child health in the country.

60. The sharp decrease in resources for health care is also having a significant influence on efforts for the full realization of the Republic's scientific and practical potential to enhance the quality of health protection measures. Today the commonest child and maternal health problems are acute respiratory infections, diarrhoeal diseases, including typhoid fever, malaria and tuberculosis, nutritional disorders (iodine deficiency disorders, unbalanced diet, anaemia), infant (0-1 years), child (0-4 years), maternal and perinatal mortality, reproductive health and childhood disability.

61. The leading causes of disease among children and adolescents (0-17 years) are acute respiratory infections (48.7 per cent), mainly diarrhoeal diseases, typhoid fever and viral hepatitis, as well as diseases of the skin and subcutaneous tissue (6.7 per cent), digestive organs (6.4 per cent), nervous system and sense organs (6.3 per cent), blood and blood-producing organs (2.5 per cent, of which about 90 per cent involve anaemia) and organs of the urogenital system (1.9 per cent).

62. Negative changes in the social situation have brought about an increase in the number of children of below-normal weight-for-age. In a number of districts 40 per cent of children show retarded physical development due to an unbalanced diet and frequent illness, with 10 per cent suffering from undernutrition. The acuteness of the problem of full nutrition is most apparent among women of child-bearing age, pregnant women, nursing mothers and under-five-year-olds (studies by German Agro-action in Tajikistan using World Health Organization (WHO) methods, September 1996).

63. Another unfavourable phenomenon caused by nutritional factors is the high frequency of anaemia among pregnant women (46.2 per cent). In some of the towns studied, women with low body weight accounted for more than 23 per cent of births.

64. The problems of supplying the public with iodinated salts, which have a rapid effect on human health, including that of children, have become more acute in recent years. Studies in some towns by local experts and UNICEF specialist consultants (1994) have provided evidence of iodine deficiency among 42-65 per cent of children surveyed, and the situation regarding this problem as a whole was found to be critical.

65. The rates of infant mortality (1996 - 30.4; 1993 - 47.7; 1992 - 45.9; 1990 - 40.7; 1980 - 53.4 per 1,000 live births), child mortality (1996 - 8.4; 1993 - 16.1 per 1,000 children aged 0-4) and maternal mortality (1996 - 79.6; 1995 - 96.6; 1990 - 41.8 per 100,000 live births) remain high. Acute respiratory infections, diarrhoeal diseases and perinatal problems continue to be the leading causes of infant mortality, despite a slight decrease.

66. More than 30 per cent of maternal deaths occur among mothers with parities of five or more, and 58 per cent occur among mothers over 30 years of age. In the towns studied, births occurred at frequencies of less than two years in up to 34 per cent of cases.

67. The rates of childhood disability have risen (1990 - 26.6; 1994 - 46.6 per 10,000 children).

68. Thus, in the context of geopolitical and economic changes and the transition to a market economy, the country has seen a sharp exacerbation of

existing problems as well as the appearance of new and highly acute problems of child health (iodine deficiency, malaria, epidemic outbreaks of diphtheria in 1995 and typhoid fever in a number of regions, stress situations and problems of rehabilitation).

69. At the same time, positive political developments have taken place with regard to the protection of children's right to health care, and the child health policy and strategy have been reviewed and are being reformulated.

70. The Republic, acting for the first time in its history as an independent State, ratified the Convention on the Rights of the Child (23 July 1993) and confirmed its legal obligation to attain universal standards of child welfare.

71. The head of State signed the Declaration adopted at the World Summit for Children setting mid-decade goals for the protection of child health.

72. The year 1994 saw the adoption of the Constitution of the Republic of Tajikistan, which proclaims that "mothers and children shall enjoy special protection and support from the State" (art. 34) and guarantees the right to health care (art. 38).

73. The Public Health Act of the Republic of Tajikistan, adopted in 1997, gives particular attention to the right of mothers and children to health care (arts. 33-34, 41, 61-64) and is consistent with the provisions of the Convention.

74. A reform process was initiated in the health sector in 1993 and is being intensified on a programmatic basis, its goals and actions being oriented towards implementing the WHO policy of health for all. The reform deals directly with the interests of children in the field of health policy. In 1996 the Government approved a national programme - the "Public Health Strategy of the Republic of Tajikistan to the year 2005" - which reflects, and adapts to the country's circumstances, the WHO policy and strategy of health for all, with the mobilization of capacity on an intersectoral basis.

75. Substantial changes are being made as part of the reform of health care, especially in the system's physical infrastructure, and a policy for the priority development of primary health-care services is to be pursued on the basis of the integrated actions of health-care services and other sectors. Attention is focused on achieving progress in meeting the goals defined at the World Summit for Children in the field of health care through the implementation of low-cost and highly effective measures. Following this principle, with respect to the highest-priority child-health issues, Tajikistan has adopted and is implementing national and health-sector programmes of immunization coverage, control of tuberculosis, diarrhoeal diseases, iodine deficiency disorders and acute respiratory infections, encouragement of breastfeeding and reproductive health, in which the policy and strategy are guided by the recommendations of WHO and UNICEF. Definite progress has been made with these programmes to attain the mid-decade goals.

76. It should be pointed out that major economic and technical support has been extended to make definite progress in the implementation of the highest priority child-health programmes by donor countries, UNICEF, WHO, the United Nations Population Fund and non-governmental organizations. With the support of donor countries, UNICEF and WHO, Tajikistan also averted a

diphtheria epidemic in 1995 and successfully carried out "Operation MECACAR" in 1995-1997, as supplementary immunization measures for the global eradication of poliomyelitis by the year 2000. In the last few years cooperation with UNICEF has been markedly intensified in the field of child and maternal health and there has been a shift towards the establishment of medium- and long-term programmes to develop the capacity of the country's health-care facilities.

77. The measures in Tajikistan to realize an important aspect of the Convention, namely the right of the child to survival through improved access to medical services, are thus oriented towards universal standards for the protection of child health. Nevertheless, the country still finds itself in difficult economic circumstances and there continues to be a considerable need for external support for further optimal developments in the health-care system and health protection measures so as to build on the progress achieved on priority child and maternal health issues.

V. RIGHTS OF THE CHILD AND BASIC LEGAL AND REGULATORY INSTRUMENTS CONCERNING SOCIAL AND LEGAL PROTECTION

78. A particular effort has been made to draft legislation to protect the rights of mothers and children and to bring the relevant existing legislation into conformity with the Constitution and the international legal instruments recognized by the Republic of Tajikistan.

79. The Pensions Act of the Republic of Tajikistan contains various statutory provisions concerning pensions for children and persons taking care of them (arts. 3 (h) and 15 (d)); articles 26 and 29 of the Act define the rights of children who are students to a pension in the event of disablement; and articles 36 and 36.1 guarantee the child's right to a pension in the event of loss of the breadwinner. The Act devotes particular attention to children who have become orphans. Article 44 of the Act states that pensions awarded for orphans are to be calculated from the total earnings of both parents. In the absence of any record of service for the parents, the pension awarded to a complete orphan is equivalent to 100 per cent of the minimum old-age pension (art. 110 (b)).

80. Cabinet of Ministers Decision No. 368 of 2 October 1992 on "Measures to strengthen the social protection of disabled persons under market-economy conditions" guarantees the rights of a disabled child under 16 years of age to:

(a) Provision of medicines according to a doctor's prescription at 50 per cent of their cost;

(b) Priority employment upon graduation from a vocational training institution;

(c) Priority enrolment in children's pre-school institutions and boarding schools;

(d) Provision of housing close to the person's place of study;

(e) Seasonal fare reductions on all forms of transport (1 October-1 May), including for persons accompanying the disabled child.

81. In accordance with Presidential Decree No. 417 of 15 February 1996 on "Increasing the minimum wage and remuneration of the labour of employees of budget-supported institutions and organizations and pensions, allowances, grants and additional measures for the social protection of low-income segments of the population of the Republic of Tajikistan", and Government Decision No. 53 of 18 February 1996 on measures to implement this Decree, a monthly allowance of 500 roubles is paid for children aged up to 16 years inclusive to families whose average monthly income per family member does not exceed two minimum wage payments.

82. The use of hired child labour is not permitted under the legislation in force. In exceptional cases, with the agreement of the parents and the commission on juvenile affairs of the local council, children aged 14 years or older may be allowed to work, but only as trainees performing uncomplicated work. Employing children under 18 years of age for work under harmful or arduous conditions is prohibited. With a view to protecting the health of adolescents the working week is 24 hours for children under 16 years of age and 36 hours for children aged 16 to 18 years, with the wage paid as for a full working day. Annual paid leave totals one calendar month.

83. Working adolescents continuing their studies without interruption from work are provided with additional benefits and concessions. Advanced pupils are granted an additional day of paid leave per week to attend lessons, as well as from 8 to 20 days to take entrance examinations or graduation examinations.

84. The Government of the Republic of Tajikistan is at present considering a bill on allowances for families and children drafted by the Ministry of Social Welfare and the Ministry of Labour and Employment.

85. A draft Family Code regulating private non-property and property relations within the family was prepared in 1996. It is based on the constitutional provisions concerning State protection of the family, motherhood, fatherhood and childhood. Its main purposes are to improve the legal foundations for strengthening the family and to ensure effective legal protection of its members under the new socio-economic conditions. It sets forth the fundamental principle for the building of family relations - equality of the spouses within the family - as well as the rights of both parents regardless of whether they live with the child. Provisions increasing the responsibility of the parents for the upbringing and development of their children have been introduced.

86. Account was taken in drafting the Code of the provisions developed by judicial and procuratorial practice and by the practice of the guardianship authorities and the civil registry offices.

87. A draft Rights of the Child Act is currently under consideration.